

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SINISA DJORDJEVIC,

Plaintiff,

v.

Case 1:22-cv-03144- PGG-SLC

UNIVERSAL PROTECTION SERVICE, LLC,

NOTICE OF MOTION

Defendant.
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PLEASE TAKE NOTICE that upon the accompanying memorandum of law; the Declaration of Greg R. Mansell, Counsel for Plaintiff in the above-referenced action, will move before this Court at United States District Court, Southern District of New York, Thurgood Marshall United States Courthouse 40 Foley Square, Courtroom 705, New York, NY 10007, on such date and time as the Court sets, for an Order to Substitute Plaintiff pursuant to Rule 25(a)(1) of the Federal Rules of Civil Procedure. Defendant does not oppose this Motion.

Dated: October 5, 2022

MEMO ENDORSED

The Application is granted.

SO ORDERED:



Paul G. Gardephe, U.S.D.J.

Dated: October 11, 2022

/s/ Greg R. Mansell

Greg R. Mansell

MANSELL LAW, LLC

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Attorney for Plaintiff

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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**MEMORANDUM OF LAW IN SUPPORT OF MOTION FOR
SUBSTITUTION OF PLAINTIFF**

Plaintiff's Counsel recently discovered the death of Plaintiff Sinisa Djordjevic. Mr. Djordjevic passed away on July 24, 2022. Mr. Djordjevic died intestate and is survived by his spouse, Margarita Djordjevic. As such, Mrs. Djordjevic is Decedent's proper successor and representative.

Rule 25(a)(1) permits the Court to substitute a deceased party with its successor as follows:

A motion for substitution may be made by any party or by the decedent's successor or representative. If the motion is not made within 90 days after service of a statement noting the death, the action by or against the decedent must be dismissed.

Fed. R. Civ. P. 25(a)(1). This Motion is timely filed before the deadline set by this Court of November 16, 2022. Pursuant to Rule 25(a) of the Federal Rules of Civil Procedure, it is hereby requested that "Margarita Djordjevic" be substituted in place of "Sinisa Djordjevic" as plaintiff in this action, so that Decedent's claims survive, and the action on his behalf may proceed. The undersigned also represents Mrs. Djordjevic.

The request under this Motion is not sought for delay, but so that justice may be done.

Dated: October 5, 2022

/s/ Greg R. Mansell

Greg R. Mansell

MANSELL LAW, LLC

85 8th Ave., 6M

New York, NY 10011

Tel: (646)-921-8900

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Attorney for Plaintiff

UNITED STATES DISTRICT COURT
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**DECLARATION OF
GREG R. MANSELL**

Defendant.
-----X

I, Greg R. Mansell, pursuant to 28 U.S.C. § 1746, declare and state as follows:

1. I am an attorney duly admitted to practice law in the United States District Court for the Southern District of New York and am a Partner at the Law Office of Mansell Law LLC, attorney for Plaintiff/Decedent Sinisa Djordjevic in the above-actioned matter. I also represent Margarita Djordjevic as the successor and representative of her late husband. The relief requested is to substitute Margarita Djordjevic as the Plaintiff in place of her late husband, Sinisa Djordjevic.

2. I have personal knowledge of the facts set forth herein and submit this declaration in support of Plaintiff's Motion for Substitution of Party pursuant to Fed. R. Civ. Pro. 25(a)(1).

3. I declare under penalty of perjury that the foregoing is true and correct.

Dated: October 5, 2022

/s/ Greg R. Mansell

Greg R. Mansell
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